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and Certain of Its Affiliates

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re	:	Chapter 11 Case No.
	:	
LEHMAN BROTHERS HOLDINGS INC., ET AL.,	:	08-13555 (SCC)
	:	
DEBTORS.	:	(JOINTLY ADMINISTERED)
-----	X	

**PLAN ADMINISTRATOR–APPELLEE’S COUNTER–DESIGNATION
OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL
FILED BY THE MAVERICK ENTITIES**

Appellee Lehman Brothers Holdings Inc. (“LBHI”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors for the entities in the above-referenced chapter 11 cases, hereby designates, pursuant to Rule 8009(a)(2) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the following additional items to be included in the record on appeal¹:

¹ LBHI does not hereby re-designate any items that it may rely upon in this appeal that were listed by appellants the Maverick Entities in their designations, which were filed under ECF No. 55447 and as Document 3 in Case 1:17-cv-04203-RA but, rather, will rely on appellants’ designations of such items. LBHI treats the designations by both appellants and LBHI below as including all exhibits and attachments to such items. While LBHI does not, at this time, object to any items designated by appellants, LBHI does not concede the relevance of any such items.

Separately, although LBHI disagrees with many aspects of the statement of issues on appeal as asserted by appellants, LBHI has not stated the issues on appeal more accurately herein because Rule 8009 of the Bankruptcy Rules does not provide for the filing of an appellee’s statement of

COUNTER-DESIGNATION OF RECORD

Lehman Brothers Holdings Inc. (Case No. 08-13555) (SCC)			
Designation Number	Date of Filing	Docket Number	Description
1.	07/02/2009	4271	Order Establishing the Deadline for Filing Proofs of Claim, Approving the Form and Manner of Notice Thereof and Approving the Proof of Claim Form. Proof of Claims Are Due By 9/22/2009
2.	12/06/2011	23023	Order Confirming Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors

LBHI reserves the right to amend or supplement the above counter-designation of items to be included in the record on appeal.

Dated: New York, New York
June 22, 2017

/s/ Richard L. Levine
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the issues (absent a cross-appeal). LBHI, therefore, reserves its right to properly state the issues on appeal in its appellate brief.